

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

Donna Dorsey Davis,
as an individual and derivatively upon behalf
of I-65 Properties, Inc.

Plaintiff,

VS.,

CIVIL ACTION NO:
2:06cv766

Richard M. Dorsey, as an individual,
and CD& O, LLC, as a necessary party,

Defendant.

Plaintiff's Witness List

COMES NOW the Plaintiff, by and through the undersigned counsel, pursuant to this Honorable Court's Scheduling Order and submits the following witnesses who may be used at the trial of this case:

1. Richard M. Dorsey, 625 East Main Street, Prattville, Alabama 36068;
2. Donna Dorsey Davis, 202 Wescott Drive, Clemson, South Carolina 29631;
3. Alan Taunton, P.O. Box 780248, Tallassee, Alabama 36078;
4. Jack Davis, 202 Wescott Drive, Clemson, South Carolina 29631;
5. Any person identified on any other parties' witness list;
6. Any person necessary to impeach the testimony of any witness called in this action;

7. Any person whose identity is not currently known but is learned through discovery;
8. Discovery is ongoing in this matter. Plaintiff reserves the right to amend this witness list at any time to add witnesses who may be brought to light through continued discovery or to add the name(s) of any witness(es) whose name(s) may have been accidentally omitted from this list.

By: s/Lindsay B. Erwin
Lindsay B. Erwin (ERW005)

Lindsay B. Erwin
Attorney at Law
5704 Veterans Parkway
Columbus, Georgia 31904
(705) 576-4064

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of October, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and have served a copy of same electronically and placing a copy of same in the United States Mail, postage prepaid and properly addressed to:

Clifford W. Cleveland
Post Office Box 680689
Prattville, Alabama 36068

James E. Roberts
4908 Cahaba River Road
Birmingham, Alabama 35243

s/ Lindsay B. Erwin
Of Counsel